



# **ORDINANCE No.**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**AN ORDINANCE AMENDING ZONING DISTRICT MAP 049 WITHIN ANANDA VILLAGE, TO 1) AMEND THE BOUNDARIES OF THE PLANNED DEVELOPMENT-SITE PERFORMANCE (PD-SP) ZONE ON ASSESSOR'S PARCEL NUMBER (APN) 61-180-03, LOCATED IN RAJARSHI PARK AT 18100 RAJARSHI DRIVE, NEVADA CITY, TO BETTER FIT EXISTING DEVELOPMENT, RETAINING THE EXISTING APPROVED SIZE OF THE ZONE (9 ACRES) UNDER Z89-025 AND U89-059; 2) AMEND THE BOUNDARIES OF THE NEIGHBORHOOD COMMERCIAL-PD-SP (C1-PD-SP) ZONE ON APNS 61-170-16 AND 61-170-32, LOCATED IN THE VILLAGE CENTER AT 16915 VILLAGE DRIVE, TO CORRECT A MAPPING ERROR AND ALIGN THE ZONING WITH EXISTING APPROVALS UNDER Z89-025 AND U89-059, AND 3) REZONE 1.16 ACRES ON APN 61-170-16, LOCATED IMMEDIATELY EAST OF THE VILLAGE CENTER AT 14029 BROTHERHOOD WAY, NEVADA CITY, FROM AGRICULTURAL-PD-SP (AG-PD-SP) TO PD-SP (ANANDA CHURCH OF SELF-REALIZATION OF NEVADA COUNTY, PROPERTY OWNER)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

### **SECTION I:**

That APN 61-180-03, which is located in Ananda Village's Rajarshi Park at 18100 Rajarshi Drive, Nevada City, California be rezoned to reconfigure the PD-SP zoning boundaries to better fit existing development without altering the existing approved size of the zone under Z89-025 and U89-059; and APNs 61-170-16 and 61-170-32, located in Ananda Village's Village Center at 16915 Village Drive, Nevada City, California, be rezoned to correct a mapping error and bring the zoning into consistency with existing approvals under Z89-025 and U89-059; and APN 61-170-16, which is located immediately east of the Village Center within Ananda Village at 14029 Brotherhood Way, Nevada City, California be rezoned from the AG-PD-SP district to PD-SP based on the following findings A-G:

A. That the proposed amendments are consistent with and further the goals, objectives, policies, programs and implementation measures of the General Plan and the provisions of the Land Use and Development Code, Chapter II Zoning Regulations, including Land Use and Development Code Section L-II 2.2, to provide for the development of the site with planned development uses; and

B. That the project site is physically suitable for the requested PD-SP and C1-PD-SP zoning for the anticipated use of the sites for planned development uses because the project site has adequate access and available infrastructure such as water and sewage disposal; and

C. The proposed amendments will not conflict with uses and zoning that surround the subject parcels as the proposed zoning is consistent with those established uses; and

D. That the proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the County; and

E. That the proposed amendments to correct the zoning map errors on APNs 61-170-16, 61-170-32, and 61-180-03 are necessary to bring the zoning into consistency with previous approvals Z89-025 and U89-059 and preserve a substantial right of the property owner; and

F. That the Nevada County Planning Commission, after taking public testimony and deliberating on the project, on April 27, 2017, recommended that the Board of Supervisors adopt this Ordinance by a 5-0 vote as required by Nevada County Land Use and Development Code section L-II 5.9.E; and

G. That the Initial Study/Mitigated Negative Declaration adopted by the Planning Commission on April 27, 2017, included a review of the Zoning District Map Amendments.

## SECTION II:

Pursuant to Section L-II 1.3.D of Article 1 of Chapter II of the Land Use and Development Code of the County of Nevada, Zoning District Map No. 049 is hereby amended as follows:

Zoning District Map No. 049 is hereby amended as shown on Exhibit “A” attached hereto and made a part of this Ordinance. Said rezone area consists of approximately 9 acres and is located 18100 Rajarshi Drive, Nevada City, California; and

All that certain property described on Exhibit “A,” is hereby rezoned as follows: Approximately 2.5 acres from PD-SP to AG-PD-SP and approximately 5.5 acres from AG-PD-SP to PD-SP, as defined in Chapter II of the Land Use and Development Code of the County of Nevada, and is hereby subject to the restrictions and allowable uses set forth therein.

## SECTION III:

Pursuant to Section L-II 1.3.D of Article 1 of Chapter II of the Land Use and Development Code of the County of Nevada, Zoning District Map No. 049 is hereby amended as follows:

Zoning District Map No. 049 is hereby amended as shown on Exhibit “B” attached hereto and made a part of this Ordinance. Said rezone area consists of approximately 3 acres and is located at 16915 Village Drive, Nevada City, California; and

All that certain property described on Exhibit “B,” is hereby rezoned as follows: Approximately 3 acres from AG-PD-SP to C1-PD-SP and approximately 1.5 acres from C1-PD-SP to AG-PD-SP, as defined in Chapter II of the Land Use and Development Code of the County of Nevada, and is hereby subject to the restrictions and allowable uses set forth therein.

## SECTION IV:

Pursuant to Section L-II 1.3.D of Article 1 of Chapter II of the Land Use and Development Code of the County of Nevada, Zoning District Map No. 049 is hereby amended as follows:

Zoning District Map No. 049 is hereby amended as shown on Exhibit “B” attached hereto and made a part of this Ordinance. Said rezone area consists of approximately 1.16 acres and is located at 14029 Brotherhood Way, Nevada City, California; and

All that certain property described on Exhibit “B,” is hereby rezoned as follows: From AG-PD-SP to PD-SP, as defined in Chapter II of the Land Use and Development Code of the County of Nevada, and is hereby subject to the restrictions and allowable uses set forth therein.

## SECTION V:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not

affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION VI:

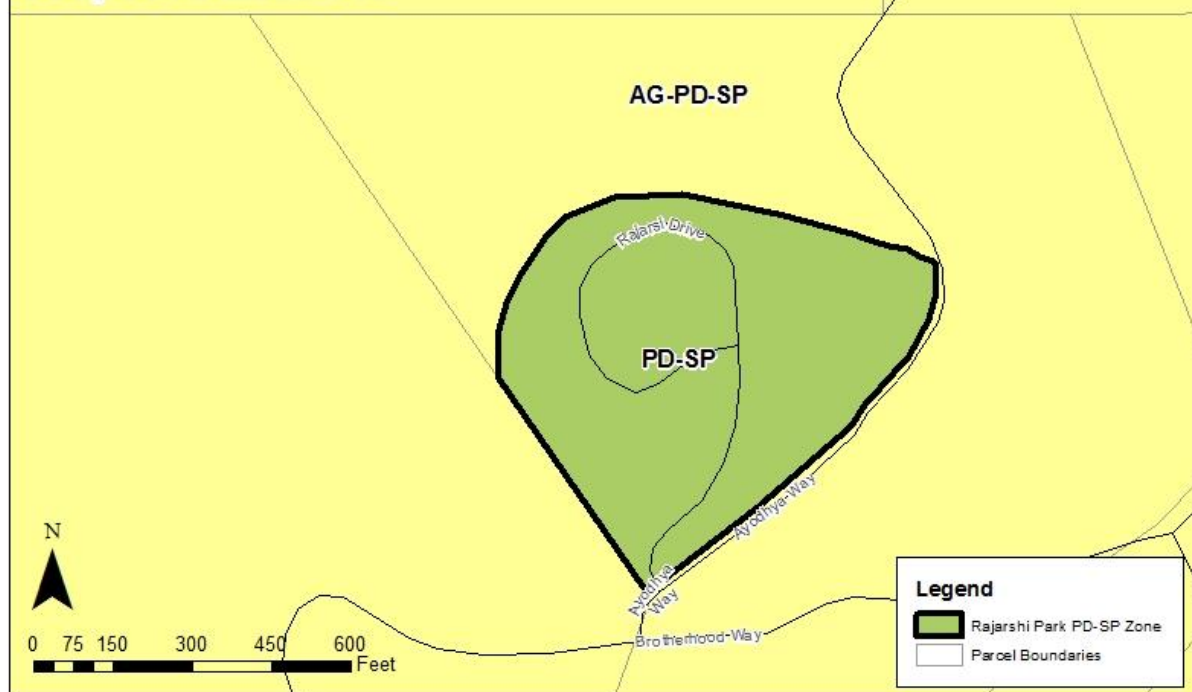
This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.

## EXHIBIT A

### Rajarshi Park Rezone: Z15-001, APN 61-180-03

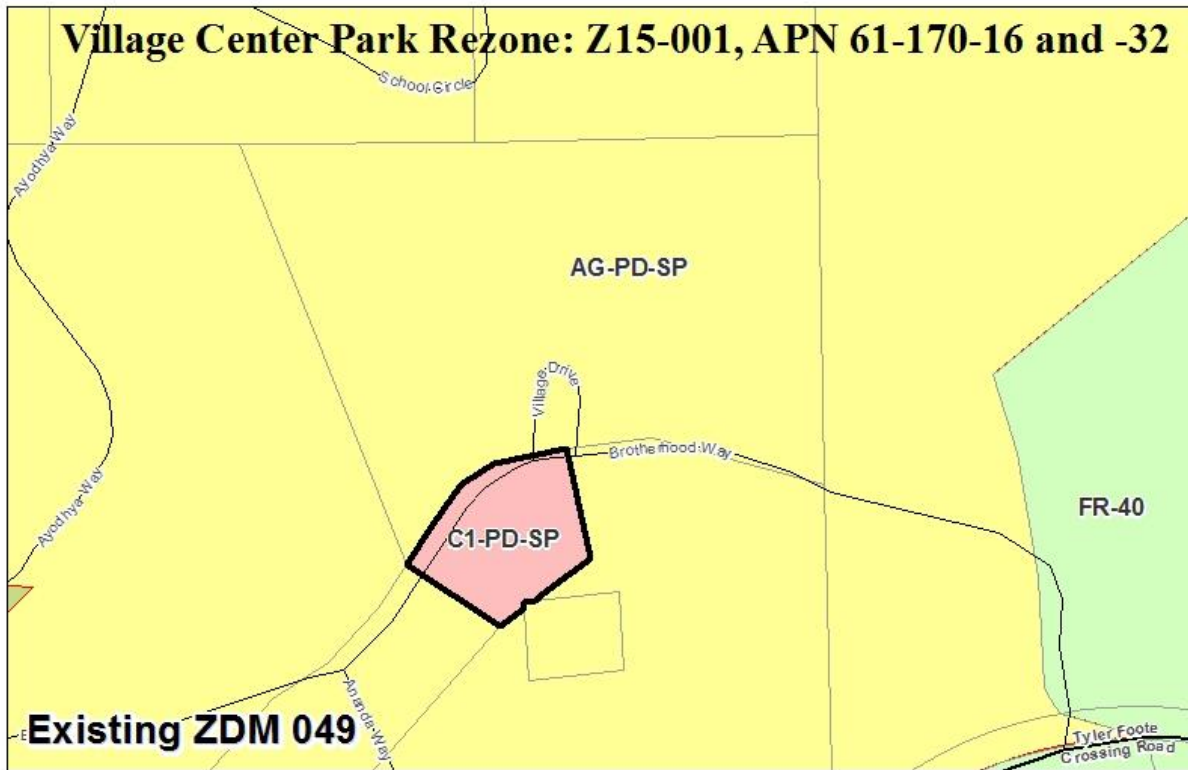


### Proposed ZDM 049



## EXHIBIT B

### Village Center Park Rezone: Z15-001, APN 61-170-16 and -32



### Proposed ZDM 049

